



## ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

(1) Petition for Approval of Court Supervised Settlement Agreement, and for (2)  
 Final Distribution

<b>DOD: 6/2/2003</b>		<b>CHARLES DUANE MARTIN</b> , Successor Administrator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Order exonerates the bond for Charles Duane Martin. Bond cannot be exonerated until all receipts on distribution are filed and an Ex Parte Petition for Final Discharge and Order has been signed.  2. Order exonerates the bond for Maria Elena Martin. Bond cannot be exonerated until all receipts on distribution are filed and an Ex Parte Petition for Final Discharge and Order has been signed.  3. Order releases the funds in the blocked account to the Picone & Defilippis Law Office Trust Account. The funds should be released directly to the parties who are receiving the funds.  4. Order does not comply with Local Rule 7.6.1.A, 7.6.1B, 7.6.1c and 7.6.1E. Need new order.
		Accounting is waived.	
<b>Cont. from</b>		I & A - <b>\$86,900.00</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	POH - <b>\$97,670.07</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Administrator - <b>Waives</b>	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Attorney (Raymsyer)- <b>Waives</b> (fees paid pursuant to a prior separate contract relating to the protection and recovery of the parties' beneficial interest in the estate.)	
<input checked="" type="checkbox"/>	<b>PTC</b>		
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	Attorney (Kharazi) - <b>\$1,625.00</b> (per settlement agreement)	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>	<b>Petitioner states</b> there is one remaining personal property issue to be resolved. Mr. H. Ty Kharazi is in the possession of Decedent Charles George Martin's burial flag from the U.S. Navy. Petitioner submits that pursuant to the parties' agreement in which Maria Martin has released her interest in the estate, this flag should be turned over to Charles Martin and Dawn Salcedo. Maria Martin maintains that the flag was presented to her at the funeral as the surviving spouse, that it is separate property, and that she should have the flag. <b>The parties have agreed to submit the matter to the Court's discretion and jointly request that the Court summarily decide the matter in its ruling on this petition.</b>	
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>	10/26/03	
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>	N/A	
		Distribution, pursuant to Settlement Agreement is to:	
		Charles Duane Martin - <b>\$48,022.54</b>	
		Dawn Salcedo - <b>\$48,022.54</b>	

(1) First and Final Account and Report of Special Administrator and (2) Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and (3) for Distribution

<b>DOD: 1-1-2000</b>		<b>PUBLIC ADMINISTRATOR</b> , Special Administrator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b> <b><u>CONTINUED TO 10-25-12</u></b> Per request of County Counsel 1. Petitioner requests payment of the entire amount of the statutory fees to Public Administrator and County Counsel; however, Examiner notes that the former Administrator and former attorney may be entitled to a portion of the fees. The Court may require clarification and/or notice to Attorney John Barrus. 2. Heirs David Polin and Anthony Polin, Sr., previously filed Assignments of Interest for a portion of their shares (\$1,000.00 each) to "Ken and Albeza Kemmerrer." This petition does not appear to reference these assignments. Need clarification or withdrawals of the assignments. 3. Need Order.
		Account period: 3-27-12 through 6-6-12	
<b>Cont. from 081612</b>		Accounting: \$50,100.00	
✓	<b>Aff.Sub.Wit.</b>	Beginning POH: \$45,000.00	
✓	<b>Verified</b>	Ending POH: \$45,963.69 (cash)	
✓	<b>Inventory</b>	Public Administrator (Statutory): \$2,004.00	
✓	<b>PTC</b>	Public Administrator (Extraordinary): \$1,248.00 (for sale of real property per Local rule and preparation of tax returns (1 Deputy hour @ \$96/hr and 2 Staff hours @ \$76/hr)	
✓	<b>Not.Cred.</b>	Attorney (Statutory): \$2,004.00	
✓	<b>Notice of Hrg</b>	Bond fee: \$31.31 (ok)	
✓	<b>Aff.Mail</b>	Costs: \$446.00 (filing, certified copies)	
	<b>Aff.Pub.</b>	Distribution pursuant to intestate succession:	
	<b>Sp.Ntc.</b>	Arthur Polin, Jr.: \$6,705.07	
	<b>Pers.Serv.</b>	Anthony Polin, Sr.: \$6,705.07	
	<b>Conf. Screen</b>	David G. Polin: \$6,705.06	
	<b>Letters</b>	Beatrice Valdez: \$6,705.06	
	<b>Duties/Supp</b>	Josephine Bourbon: \$6,705.06	
	<b>Objections</b>	Anthony Aldama: \$6,705.06	
	<b>Video Receipt</b>		
	<b>CI Report</b>		
✓	<b>9202</b>		
	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
✓	<b>FTB Notice</b>		

<b>Reviewed by:</b> skc
<b>Reviewed on:</b> 9-14-12
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 2 - Polin</b>

(1) First and Final Report of Executor on Waiver of Account and (2) Petition for Allowance of Statutory Attorneys' Fees and Executor's Commission, (3) for Withholding of Closing Cost Reserve, and (4) for Final Distribution [Prob. C. 1060 et seq., 10800, 10810, 10811, 10951, 10954, 12200]

Age:			NEEDS/PROBLEMS/COMMENTS:
DOD:			
Cont. from			
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Continued to 10/11/12 at the request of the attorney.	
		Reviewed by: KT	
		Reviewed on: 9/14/12	
		Updates:	
		Recommendation:	
		File 3 - Picard	

(1) First and Final Report of Executor on Waiver of Account and (2) Petition for Allowance of Statutory Attorneys' Fees and Executor's Commission, (3) for Withholding of Closing Cost Reserve, and (4) for Final Distribution [Prob. C. 1060 et seq., 10800, 10810, 10811, 10951, 10954, 12200]

Age:			NEEDS/PROBLEMS/COMMENTS:  <u>Continued to 10/11/12</u> at the request of the attorney.	
DOD:				
Cont. from				
	Aff.Sub.Wit.			
	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
Reviewed by: KT Reviewed on: 9/14/12 Updates: Recommendation: File 4 - Picard				

(1) First and Final Account and Report of Administrator and Petition for Its Settlement, and (2) Petition for Final Distribution, (3) for Allowance of Compensation to Attorneys for Ordinary Services (Prob. C. 10800, 10810, 10954, and 11660)

<b>DOD: 2-27-11</b>		<p><b>GARY GONZALES</b>, Son and Administrator with Will Annexed with Limited IAEA without bond, is Petitioner.</p> <p><i>Need waivers of accounting</i></p> <p>I&amp;A: \$168,113.31 POH: \$168,113.31 (\$28,113.31 cash plus real property)</p> <p>Administrator: Waived</p> <p>Attorney (Statutory): \$6,043.40</p> <p>Costs: \$885.00 (filing, publication, probate referee)</p> <p><b>Distribution pursuant to Decedent's will:</b></p> <p>Rosemarie Ann Knight, Gregory Gonzales, Gary Gonzales, and Paul Dwayne Gonzales: 25% interest each in real property and residue of estate</p> <p>Michael A. Brooks, Thomas L. Brooks, Jonathan J. Brooks, Jennifer L. Gonzales, Anna K. Gonzales, Kara M. Gonzales, Jessica Gonzales and Nicholas Gonzales: A 1/8 interest in all remaining funds left up to \$5,000.00 each.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Continued from 7-5-12, 8-16-12.</u></p> <p><u>Minute Order 8-16-12:</u> As to Item #2 in the Examiner Notes, counsel informs the Court that there is no assignment. The Court directs counsel to submit a declaration addressing Items #2 and #3 in the Examiner Notes. In addition, counsel is to include the appropriate Probate Code regarding named/unnamed heirs. Continued to 9/20/12.</p> <p><u>As of 9-14-12, no declaration has been filed. The following issue remains:</u></p> <p>1. Decedent's holographic will, admitted to probate on 10-12-11, directs the house be sold and proceeds divided among her four children. It then states that she wants \$5,000 to go to each of her listed grandchildren (8 total).</p> <p><u>The original petition</u> at #8 listed two additional minor grandchildren that appear to have been born after the will was written.</p> <p><u>This petition</u> at #28 states the <u>intestate</u> heirs are listed, which infers that the list would include the two additional minor grandchildren; however, they are not included.</p> <p><u>This petition</u> then requests distribution of the house in undivided interests, and division of the remaining cash among only the grandchildren listed in the will (all adults).</p> <p>The Court may require clarification as to omission of the two minor grandchildren.</p> <p>2. Need order.</p>	
<b>Cont. from 070512, 081612</b>				
<input type="checkbox"/>	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
✓	PTC			
✓	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters			10-17-11
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	9202			
	Order			X
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
✓	FTB Notice			
		<p>Reviewed by: skc</p> <p>Reviewed on: 9-14-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5 - Gonzales</p>		

## Petition for Settlement of First Account and Report of Trustee (Prob. C. 16062 and 17200)

Lyle E. Schafer DOD: 8-20-10		JANICE BRANUM, Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Jean M. Schafer Resigned: 9-22-11			
		Account period: 12-30-10 through 12-30-11	1. Need order.
		Accounting: \$2,699,860.31	
		Beginning POH: \$2,628,394.94	
		Ending POH: \$2,363,349.19	
		(Market Value of POH: \$2,418,350.19)	
	Aff.Sub.Wit.		
✓	Verified	Trustee Fee: \$15,000.00	
	Inventory	(Paid during account period)	
	PTC	(Trustee fee to then-Co-Trustee Jean M. Schafer was waived.)	
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
<p>Petitioner states the <b>LYLE E. SCHAFER DECEDENT'S TRUST</b> was created under the <b>SCHAFER FAMILY TRUST</b> and was funded 12-30-10, after a four month administrative period. This account covers the period beginning 12-30-10 (the funding date). Petitioner states that during the four month administrative period between the date of death and the date of funding, the market value of the assets allocated to the Decedent's Trust increased by approx. \$90,000.00 (Schedule provided).</p> <p><b>Petitioner prays for an order that:</b></p> <ol style="list-style-type: none"> <li>1. The account and report of petitioner be settled, allowed and approved as rendered; and</li> <li>2. Such further relief as the court deems proper.</li> </ol>			
			Reviewed by: skc
			Reviewed on: 9-14-12
			Updates:
			Recommendation:
			File 6 - Schafer